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OFFICE OF PETITIONS

In re Application of	:	
Ira D. Sasowsky, et al.	:	
Application No. 09/776,298	:	ON PETITION
Filed: February 2, 2001	:	
Attorney Docket No. UA372	:	

This is a decision on the petition under 37 CFR 1.137(b), filed March 10, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed April 1, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. An Advisory action was mailed June 17, 2003 indicating that the reply filed on June 4, 2003 failed to place the application in condition for allowance. Accordingly, the application became abandoned on July 2, 2003.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), it will be interpreted as the required statement. Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The Revocation of Power of Attorney filed with the present petition is not accepted. In the instant case, Gerald M. Parker, Director of Research Services and Sponsored Programs, has not satisfactorily established ownership of the property to the satisfaction of the Commissioner.

More specifically, 37 CFR 3.73(b) provides that: (1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought

to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address of record until such time as appropriate Power of Attorney documentations are received to the contrary. A blank 37 CFR 3.73(b) accompanies this decision.

Receipt is acknowledged of the Amendment filed March 10, 2004, with the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application file is being forwarded to Technology Center 1700, Art Unit 1724 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.



Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Attachment to cc: Blank Copy of 3.73(b) form.

cc: Donald J. Firca, Jr.
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